

LISA LYNNE RUSSELL  
Deputy Assistant Attorney General  
Environment and Natural Resources Division

KATHRYN R. VOGEL  
Acting United States Attorney  
District of Alaska

MARK A. NITCZYNSKI  
United States Department of Justice - ENRD  
Environmental Defense Section  
999 18th Street; South Terrace, Suite 370  
Denver, CO 80202  
Phone: (303) 844-1498  
Email: [mark.nitczynski@usdoj.gov](mailto:mark.nitczynski@usdoj.gov)

ALBERT LIN  
United States Department of Justice - ENRD  
Environmental Defense Section  
P.O. Box 7611  
Washington, D.C. 20044  
Phone: (202) 514-2741  
Email: [albert.lin@usdoj.gov](mailto:albert.lin@usdoj.gov)

*Attorneys for the United States*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

NORTHERN DYNASTY MINERALS LTD.  
and PEBBLE LIMITED PARTNERSHIP,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, *et al.*,

Defendants.

Case No. 3:24-cv-00059-SLG,  
and consolidated cases

**MOTION TO EXPEDITE DEFENDANTS'  
MOTION TO HOLD MATTER IN ABEYANCE**

*N. Dynasty Minerals Ltd. v. EPA*, and consolidated cases, No. 3:24-cv-00059-SLG

Defendants respectfully request that this Court expedite its consideration of Defendants' Motion to Hold Matter in Abeyance, ECF 146, which we filed earlier today. While that motion is clear that briefing of the pending Motion to Complete or Supplement the United States Army Corps of Engineers' Administrative Record, ECF 128, and Motion for Leave to Obtain Limited Discovery to Complete, or in the Alternative to Supplement, the Record, ECF 127, would be stayed starting today and during the abeyance period, various parties' briefs on those motions are due today. It would be beneficial to the parties and for the Court to have clarity as soon as possible regarding the requested abeyance. The parties to these cases either do not oppose or take no position on Defendants' Motion to Hold Matter in Abeyance, and so Defendants are hopeful that the Court will be able to act quickly on that motion.

Respectfully submitted on February 14, 2025

LISA LYNNE RUSSELL  
Deputy Assistant Attorney General  
Environment and Natural Resources Division

KATHRYN R. VOGEL  
United States Attorney  
District of Alaska

/s/ Mark A. Nitzczynski  
MARK A. NITCZYNSKI  
United States Department of Justice - ENRD  
Environmental Defense Section  
999 18th Street; South Terrace, Suite 370  
Denver, CO 80202  
Phone: (303) 844-1498 (Nitzczynski)  
Email: [mark.nitzczynski@usdoj.gov](mailto:mark.nitzczynski@usdoj.gov)

ALBERT LIN  
United States Department of Justice - ENRD  
Environmental Defense Section

P.O. Box 7611  
Washington, D.C. 20044  
Phone: (202) 514-2741  
Email: albert.lin@usdoj.gov

*Attorneys for the United States*